

AN ORDINANCE **9 8 7 7 6**

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY, WHICH ESTABLISHES CERTAIN TERMS BY WHICH THE CITY OF SAN ANTONIO WILL CONSENT TO THE CREATION OF EMERGENCY SERVICES DISTRICT NO. 4 WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION FOR THE PROVISION BY THE DISTRICT OF FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES FOR INDIVIDUALS RESIDING WITHIN ITS BOUNDARIES.

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WHEREAS, certain residents of Bexar County have filed a petition with Bexar County Commissioners' Court in which they seek to form an Emergency Services District #4 ("ESD #4"), which would include a portion of the Extraterritorial Jurisdiction ("ETJ") of the City of San Antonio; and,

WHEREAS, the citizens involved in the project have applied to the City of San Antonio for permission to include that portion of the Extraterritorial Jurisdiction within the proposed special district as required by Chapter 775 of the Texas Health & Safety Code; and,

WHEREAS, the affected portion of the City's Extraterritorial is more particularly described in the Petition which is on file with Bexar County; and

WHEREAS, representatives of Bexar County, Texas ("County") and the City of San Antonio ("City") have negotiated an agreement pursuant to state law which, if approved by the County and City, will be incorporated into the call for the election on formation of the proposed ESD #4; and,

WHEREAS, City staff has reviewed the proposal and has recommended that permission be granted on the conditions set forth in the attached agreement; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

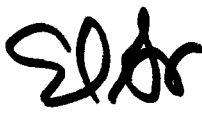
SECTION 1. Permission is hereby granted to include the portion of the Extraterritorial Jurisdiction of the City of San Antonio within the proposed Bexar County Emergency Services District No. 4 in accordance with the terms of Chapter 775, Texas Health & Safety Code and the Agreement for Approval of ESD #4 which is set forth in substantially final form at **Exhibit A** attached hereto and incorporated herein for all purposes. A description of the area to be included within the district is contained within the Petition which is on file with Bexar County, Texas. The City Manager or her designee is hereby authorized to execute the Agreement on behalf of the City and to take such further and necessary acts to implement this Ordinance.

SECTION 2. This Ordinance shall apply solely to property within the Extraterritorial Jurisdiction of the City of San Antonio, Texas.

SECTION 3. The City Clerk is directed to forward a copy of this action to the County Judge, Bexar County on behalf of the City.

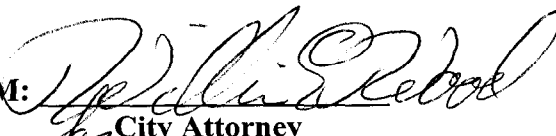
SECTION 4. This ordinance is effective on the 15th day of February, 2004.

PASSED AND APPROVED this 5th day of February, 2004.


M A Y O R
EDWARD D. GARZA

ATTEST: 
CITY CLERK

APPROVED AS TO FORM:


for City Attorney